

Crl. Misc. No. M-5799 of 2016

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-5799 of 2016

DATE OF DECISION: 27.05.2016

Harmeet Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspaper may be allowed to see judgment? (Yes/No)**
- 2. To be referred to reporters or not? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest? (Yes/No)**

Present:- Mr. SS Majithia, Advocate
for the petitioners.

Ms. Ritu Punj, Addl. A.G., Punjab.

Mr. Bikram Singh, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.

The prayer in the present petition is for quashing of FIR No. 56 dated 12.11.2015 registered under Sections 498-A,406,326,324,323 read with Section 34 IPC at Police Station Mattewal, District Amritsar, on the basis of compromise arrived at between the parties.

Aforesaid FIR was registered on the basis of complaint made by respondent No.2 against her husband, father-in-law, mother-in-law and sister-in-law, who are petitioners in the present petition, wherein, certain allegations of demand of dowry and harassment were levelled.

Subsequently during pendency of the proceedings, with the intervention of the relatives and elders, the matter has been compromised between the parties and they have decided to remain together by forgetting their differences. Respondent No.2 has also given her sworn-in-affidavit in this regard, which is annexed as Annexure P-3 with the petition. Thereafter the present petition has been filed for quashing of the FIR and other proceedings, on the basis of compromise.

While issuing notice of motion on 17.2.2016, the parties were directed to appear before the Illaqa Magistrate/trial Court for recording of their statements with regard to compromise.

In response to the said directions issued by this Court, the parties appeared before SDJM, Baba Bakala Sahib and their statements were recorded. After recording of their statements, a report along with the statements of the parties has been sent, which is on record wherein the factum of compromise has been affirmed. It has also been mentioned in the report that the compromise arrived at between the parties is genuine and without any pressure from either side. Complainant-respondent No.2 has specifically stated in her statement that she has settled the dispute with the accused persons and has no objection in quashing of the FIR and other proceedings.

Since the dispute between the parties is matrimonial in nature and the same has been settled by way of compromise; complainant has no objection in quashing of the FIR and other proceedings, no purpose would be served in case proceedings are continued in future as it would amount to wastage of precious time of the Court. Moreover, it would not be in the interest of the parties as the complainant is not going to support the case of

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the prosecution. The purpose of the compromise is to maintain peace and harmony in the relations.

Accordingly, the present petition is allowed and the impugned criminal proceedings arising out of FIR No. 56 dated 12.11.2015 registered under Sections 498-A, 406, 326, 324, 323 read with Section 34 IPC at Police Station Mattewal, District Amritsar as well as all subsequent proceedings arising therefrom qua petitioners, namely, Harmeet Singh, Parminder Singh, Jaswinder Kaur and Kiran, are hereby quashed.

May 27, 2016
pooja

(DAYA CHAUDHARY)
JUDGE